



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

July 25, 2016

Stephanie Trujillo, Field Manager
Egan Field Office
Bureau of Land Management
702 North Industrial Way
Ely, NV 89301

Subject: Final Environmental Impact Statement for the Bald Mountain Final Environmental Impact Statement for the Proposed Bald Mountain Mine North and South Operations Area Projects, White Pine County, Nevada [CEQ # 20160142]

Dear Ms. Trujillo:

The U.S. Environmental Protection Agency (EPA) has reviewed the above referenced document. Our review and comments are provided pursuant to the National Environmental Policy Act (NEPA), the Council on Environmental Quality (CEQ) NEPA Implementation Regulations at 40 CFR 1500-1508, and our NEPA review authority under Section 309 of the Clean Air Act.

We support BLM's identification of the Western Redbird Modification Alternative as the Environmentally Preferable Alternative and as the Agency Preferred Alternative. As we noted in our comments on the DEIS, this alternative would result in less surface disturbance than would the Proposed Action, would minimize groundwater impacts to springs and seeps, avoid potential impacts to wetland vegetation, and provide wider mule deer migration corridors. We also support BLM's inclusion of the Applicant-committed Environmental Protection Measures as enforceable commitments of the Record of Decision (ROD).

In our detailed comments on the Draft EIS, we expressed concern about the potential risks to water quality from rock disposal areas, the loss of seeps and springs due to groundwater pumping, the re-establishment of vegetation during reclamation, financial assurances for reclamation and post-closure operations, and analyses related to climate change. We identified aspects of the DEIS in need of clarification and recommended that the Final EIS include specific information regarding these issues. Most of our comments have been addressed in the response to comments and throughout the Final EIS. At this time, we have suggestions for minor changes which may further mitigate potential risks to water quality.

In the FEIS, information has been added regarding the content of potentially acid generating (PAG) material in each development pit, and management of the potential risks from rock disposal areas. Improved measures may further reduce these risks. To minimize the risk of producing acid drainage, mitigation measure WR-3 from the 2016 Revised Waste Rock Management Plan (WRMP) proposes an annual monitoring review to determine whether there is more than 20 percent potentially acid generating (PAG) material or less than 200 kg/t net neutralizing potential (NNP) in a given rock disposal area (RDA), and offers contingency measures to remedy the overall percent PAG or average NNP in that RDA. It is unclear whether the frequency of monitoring review will allow exceedances of these

thresholds to be found early enough to have feasible remedial measures. For example, for the waste rock coming from the pits with the highest percentage PAG (e.g. Redbird, Winrock(s), Gator) it is plausible that large "hotspots" of high percentage PAG or overall low NNP could be deposited over the course of a year, rendering the proposed contingency measures inadequate or infeasible to implement.

The Revised WRMP mentions "annual weighted average values of quarterly monitoring results." Is the annual average mentioned in WR-3 meant to be a *rolling four-quarter average*? If so, we recommend that WR-3 be revised to clarify that, if, during any rolling four-quarter period, PAG disposal in any pit would exceed 20 percent, additional PAG waste rock would be disposed in an alternate RDA with greater neutralizing capacity. In addition, it may be appropriate that the plan specify that material from the pits with the highest PAG material would be sampled and evaluated more frequently, even monthly. We recommend that these provisions be considered for inclusion in the final Waste Rock Management Plan and Record of Decision (ROD).

In our comments on the DEIS, we recommended that BLM include information on the adequacy and viability of bond amounts, or other financial assurances, for reclamation, post-closure operations, and maintenance and monitoring. Disclosure of these amounts has not been added in the FEIS. Because this information can be a critical factor in deciding whether or not a project is environmentally acceptable, EPA continues to recommend that such information be disclosed and evaluated in the NEPA process.

We appreciate the opportunity to review this FEIS. When the Record of Decision is signed, please send one copy to the address above (mail code ENF-4-2). If you have any questions, please contact me at 415-972-3521, or contact Hugo Hoffman, the lead reviewer for this FEIS. Hugo can be reached at 415-972-3929 or hoffman.hugo@epa.gov.

Sincerely,



Kathleen Martyn Goforth, Manager
Environmental Review Section